



**DEPARTMENT OF THE ARMY  
WILMINGTON DISTRICT, CORPS OF ENGINEERS**

Washington Regulatory Field Office  
Post Office Box 1000  
Washington, North Carolina 27889-1000

IN REPLY REFER TO

November 9, 2010

Regulatory Division

Action ID SAW 2006-40282

Town of Nags Head  
C/O Mr. Cliff Ogburn  
Post Office Box 99  
Nags Head, North Carolina 27959

Dear Mr. Ogburn:

In accordance with your written request of July 26, 2006, and the ensuing administrative record, enclosed are two copies of a permit to excavate 4.6 million cubic yards of beach-quality sediment from a federally designated offshore borrow site and deposit the material along approximately 10 miles of ocean shoreline, in the Town of Nags Head, Dare County, North Carolina.

You should acknowledge that you accept the terms and conditions of the enclosed permit by signing and dating each copy in the spaces provided ("Permittee" on page 3). Your signature, as permittee, indicates that, as consideration for the issuance of this permit, you voluntarily accept and agree to comply with all of the terms and conditions of this permit. All pages of both copies of the signed permit with drawings should then be returned to this office for final authorization. A self-addressed envelope is enclosed for your convenience.

Title 33, Part 325.1(f), of the Code of Federal Regulations reads, in part, that, "A \$10 fee will be charged for permit applications when the work is noncommercial in nature and provides personal benefits that have no connection with a commercial enterprise...", and "A fee of \$100 will be charged for permit applications when the planned or ultimate purpose of the project is commercial or industrial in nature and is in support of operations that charge for the production, distribution, or sale of goods or services." As your application fits the former category, you are requested to remit your check for \$10, made payable to the Finance and Accounting Officer, USAED, Wilmington. The check should accompany the signed and dated copies of your permit.

This correspondence contains an initial proffered permit for the above described activity. If you object to this decision or the enclosed special conditions you may request that the District Commander reconsider his decision. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this decision you must submit a completed RFA form to the District Commander, Wilmington District Corps of Engineers at the following address:

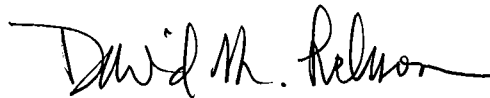
Col. Jefferson Ryscavage, District Commander  
US Army Corps of Engineers, Wilmington District  
69 Darlington Avenue  
Wilmington, NC 28403

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, and that it has been received by the District Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by January 11, 2011.

It is not necessary to submit an RFA form to the District Office if you do not object to the decision contained in this correspondence.

After the permit is authorized in this office, the original copy will be returned to you; the duplicate copy will be permanently retained in this office. If you have questions, please contact Mr. Raleigh Bland at the Washington Regulatory Field Office, telephone (910) 251-4564.

Sincerely,

A handwritten signature in black ink that reads "David M. Lekson". The signature is fluid and cursive, with a long horizontal stroke at the end.

David M. Lekson, P.W.S.  
Chief, Washington Regulatory Field Office

Enclosures